

by and against citizens of the State of Texas.

Sec. 4. The fact that the State of Texas has repossessed the property referred to in the above deed without restoring the consideration that was received by the State of Texas for the property and the fact that the above named claimants have no enforceable remedy against the State of Texas in the absence of permission granted by this Act creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended, and the existence of said emergency is hereby declared and said rule is hereby suspended, and it is further enacted that this Act shall take effect and be in force from and after its passage, and it is so enacted.

Committee Room,
Austin, Texas, March 13, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred S. B. No. 368, A bill to be entitled "An Act renewing and extending oil and gas permit Number 14,344, issued by the Commissioner of the General Land Office of the State of Texas on the 29th day of March A. D. 1929, etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back with recommendation that it do pass and be printed in the Journal.

MOORE, Chairman.

By Woodruff by request, S. B. 368.

A BILL

To Be Entitled

An Act renewing and extending oil and gas permit Number 14344, issued by the Commissioner of the General Land Office of the State of Texas on the 29th day of March A. D. 1929, covering 660 acres of land, in the bed of the Brazos River, located in Palo Pinto County, Texas, for an additional period of two years from and after the present date of expiration of said permit, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. Oil and Gas Permit No. 14344, covering 660 acres of land in the bed of the Brazos River, in Palo Pinto County, Texas, issued by the Commissioner of the General Land Office of the State of Texas on March 29, 1929, the present date of expiration of which is two years from the date of issuance, is hereby extended and renewed for an additional term of two years from and after the present date of expiration, so that said permit shall be in force and effect for a term and period of two years, from and after March 29, 1931; provided that all rights hereunder shall be conditioned on regular payment of the annual rental covering the two years extension period in the absence of production.

Sec. 2. The fact that there is a well producing gas immediately adjacent to the area embraced in said permit, is draining gas from under said area, and that other wells are being drilled nearby, and that the gas and oil under said river bed area will likely be lost to the State of Texas unless this permit is extended, and the great importance of this legislation in saving the royalties provided by said permit to the permanent school fund of the State of Texas create an emergency and an imperative public necessity, that the Constitutional Rule requiring bills to be read on three several days in each House be suspended and said Rule is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

FORTY-FOURTH DAY.

Senate Chamber,
Austin, Texas,
March 17, 1931.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor Edgar E. Witt.

The roll was called, a quorum being present, the following Senators answering to their names:

Beck.	Greer.
Berkeley.	Hardin.
Cousins.	Holbrook.
Cunningham.	Hopkins.
Deberry.	Hornsby.
Gainer.	Loy.

Martin.	Rawlings.
Moore.	Russek.
Neal.	Small.
Oneal.	Stevenson.
Parr.	Thomason.
Parrish.	Williamson.
Patton.	Woodruff.
Poage.	Woodul.
Pollard.	Woodward.
Purl.	

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Woodward.

Petitions and Memorials.

(See Appendix.)

Committee Reports.

(See Appendix.)

Bills and Resolutions.

By an affirmative vote of four-fifths of the membership of the Senate, the constitutional rule relating to the introduction of bills during the last 90 days of the session was suspended and consent was granted to introduce the following bills:

By Senator Small:

S. B. No. 554, A bill to be entitled "An Act to amend Section 28, Chapter 274, Acts of the Regular Session of the Forty-first Legislature; and declaring an emergency."

Read and referred to Committee on Insurance.

By Senator Woodward:

S. B. No. 555, A bill to be entitled "An Act to amend Chapter 47 of the Acts of the Regular Session of the Thirty-third Legislature, page 90, as amended by Chapter 23, Acts of the Regular Session of the Thirty-fourth Legislature, page 38, as amended by Chapter 85, Acts of the Regular Session of the Thirty-eighth Legislature, page 177, as amended by Chapter 57, Acts of the Regular Session of the Thirty-ninth Legislature, page 200, relating to the throwing, casting, discarding, or depositing crude petroleum, oil, salt water, sulphur water, acid, or other unclean substances or thing in any water course or public body of water in this State; providing for the enforcement of this Act insofar as concerns protection of aquatic and marine life; providing that all pending prosecutions shall be

tried under the law now in force; providing for a penalty and the disposition of fines collected, and declaring an emergency."

Read and referred to Committee on Criminal Jurisprudence.

By Senator Purl:

S. B. No. 556, A bill to be entitled "An Act amending Article 4745 Revised Civil Statutes of 1925 prohibiting the payment of commissions to officers of life insurance companies and enabling the payment of renewal commissions under certain conditions, and declaring an emergency."

Read and referred to Committee on Insurance.

By Senator Woodruff:

S. B. No. 557, A bill to be entitled "An Act providing that it shall not be unlawful to kill or take squirrels in Parker County, Texas, any time during the year; and declaring an emergency."

Read and referred to Committee on State Affairs.

By Senator Woodruff:

S. B. No. 558, A bill to be entitled "An Act authorizing the Superintendent of Public Instruction to allot and pay out of available rural aid funds a consolidation bonus to certain described school districts, and declaring an emergency."

Read and referred to Committee on Educational Affairs.

By Senator Woodruff, by request:

S. B. No. 559, A bill to be entitled "An Act providing that in all cases when weekly compensation due an employee or beneficiary coming within the terms and provisions of the Workmen's Compensation Act are paid before becoming due, whether such payment be authorized by the Industrial Accident Board or a court of competent jurisdiction, discount shall be allowed for present payment at the legal rate of insurance compounded annually; providing future installments of compensation payable to alien beneficiaries not residents of the United States may be commuted and paid according to the terms and provisions of Section 17, Article 8306, Revised Civil Statutes of 1925."

Read and referred to Committee on Insurance.

By Senator Williamson:

S. B. No. 560, A bill to be entitled "An Act providing for the curing, obtaining evidences of, investigating of and reporting on, titles to State lands; providing the means and manner thereof; making an appropriation therefor; providing for the keeping of records, and declaring an emergency."

Read and referred to Committee on State Affairs.

Bills Signed.

The Chair, Lieutenant Governor Edgar E. Witt, gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read, the following bills:

S. B. No. 21.	S. B. No. 126.
S. B. No. 516.	S. B. No. 46.
S. C. R. No. 21.	S. C. R. No. 22.
S. B. No. 70.	S. B. No. 85.
H. C. R. No. 27.	H. C. R. No. 37.

S. B. No. 494 Re-committed.

On motion of Senator Moore, S. B. No. 494 was re-committed to the Committee on Public Lands and Land Office for further hearing.

Simple Resolution No. 80.

Senator Holbrook sent up the following resolution:

Whereas, Admiral Thomas P. Magruder, in command of the Eighth Naval District, of which Texas ports are a part, is to visit Texas shortly in an official capacity, and

Whereas, Admiral Magruder has a record for gallantry unsurpassed by any officer of the Navy, having distinguished himself for courage in the conflict with Spain when as an ensign on the "Nashville" he fired the opening shot of the Spanish-American war; and for heroism displayed in peace time, when he saved the victims of a storm at sea off San Francisco; and in the World War, for which services he twice received Congressional medals, the Distinguished Service medal, and has been honored with awards by the governments of our allies, including the distinction of Commander of the Legion of Honor of France; and

Whereas, As a ranking officer of the United States Navy he was not afraid to voice constructive criticism of expensive practices of the Navy

Department; as a consequence of which he was first relieved from active duty, and later, restored to his proper place with the merited approval of a grateful public; and

Whereas, Admiral Magruder is a native of Mississippi, a state from which Texas has drawn many of her finest citizens, and for which Texans feel a deep affection; and

Whereas, The courage, the wisdom and character of this distinguished Naval officer, commend themselves highly to the Senate of the State of Texas; therefore, be it

Resolved, That the Senate of the State of Texas invite Admiral Thomas P. Magruder during his stay in this State to come to Austin and address the Senate at his convenience; and be it further

Resolved, That the President of the Senate be authorized and instructed to appoint a committee to arrange for the details of his visit, and that this resolution be printed in the Senate Journal, and copy thereof be furnished to Admiral Magruder.

HOLBROOK.

Read and adopted.

Report on Committee Hearings.

Senator Woodward sent up the following special Committee report:

Austin, Texas, March 17, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee appointed to arrange committee hearings for the remainder of the session, beg to report that we recommend the following assignments as relate to the hereinafter named committees, to-wit:

Monday afternoon immediately after adjournment, Committee on Education.

Monday night eight P. M. Committee on Finance.

Tuesday afternoon immediately after adjournment, Committees on Civil and Criminal Jurisprudence.

Tuesday night eight P. M., Committee on Highways and Motor Traffic.

Wednesday afternoon immediately after adjournment, Committee on Finance.

Wednesday night eight P. M., Committee on State Affairs.

Thursday afternoon immediately after adjournment, Committees on Civil and Criminal Jurisprudence.

Thursday night, open.

Friday afternoon immediately after adjournment, Committee on Education.

Friday night, eight P. M. Finance Committee.

Your committee begs leave to further report that no assignments have made for committee hearings between the hours of nine A. M. and ten A. M. each session day, nor have we assigned any hearings between the hours of one P. M. and two P. M. on each session day, leaving said periods open for such committee hearings as may be desired by other committees, assignments for which have not been made by your committee.

Respectfully submitted,

Woodward, Williamson, Moore, Stevenson, Beck.

Read and, on motion of Senator Woodward, laid on the table subject to call.

S. J. R. No. 22.

The Chair laid before the Senate on its third reading the following resolution:

By Senator Williamson:

S. J. R. No. 22, A joint resolution "Proposing an amendment to the Constitution of the State of Texas by amending Section 1 of Article 6, and Section 33 and Section 40 of Article 16, of the Constitution of Texas, so as to permit officers of the National Guard, the National Guard Reserves, and the Officers Reserve Corps of the United States, and enlisted men of the National Guard, the National Guard Reserve, and the Organized Reserves of the United States, and retired officers of the United States Army, Navy, and Marine Corps, and retired enlisted men of the United States Army, Navy, and Marine Corps, to vote and to hold public office in Texas."

Read third time and finally passed by the following vote:

Yeas—29.

Beck.	Gainer.
Berkeley.	Greer.
Cousins.	Hardin.
Cunningham.	Hopkins.
Deberry.	Hornsby.

Loy.	Purl.
Martin.	Rawlings.
Moore.	Russek.
Neal.	Small.
Oneal.	Thomason.
Parr.	Williamson.
Parrish.	Woodruff.
Patton.	Woodul.
Poage.	Woodward.
Pollard.	

Absent-Excused.

Holbrook.	Stevenson.
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S. J. R. No. 6.

The Chair laid before the Senate on its third reading the following resolution:

By Senator Hornsby:

S. J. R. No. 6, A joint resolution Proposing amendments to Section 14 and 16, of Article 8, of the Constitution of Texas, combining the offices of tax collector and assessor of taxes; providing the time and manner thereof; providing for its submission to the voters of the State of Texas, as required by the Constitution, and making an appropriation therefor.

Read third time and finally passed by the following vote:

Yeas—29.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Poage.
Deberry.	Pollard.
Gainer.	Purl.
Greer.	Rawlings.
Hardin.	Russek.
Hopkins.	Small.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodul.
Neal.	Woodward.
Oneal.	

Absent-Excused.

Holbrook.	Stevenson.
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Senate Bill No. 184.

On motion of Senator Hardin, S. B. No. 184 was laid on the table subject to call.

Senate Bill No. 222.

On motion of Senator Cousins, S. B. No. 222 was laid on the table subject to call.

Senate Bill No. 309.

The Chair laid before the Senate on its second reading the following bill:

By Senator Hardin:

S. B. No. 309, A bill to be entitled "An Act ratifying and validating the creation and all proceedings creating Oak Dale Common School District No. 60, of Erath County, Texas, with described boundaries; validating all acts of State and county school officials and trustees of said common school district in the expenditure and disbursement of school funds apportioned to said district, as well as all moneys derived from special school tax in said district, and within the boundaries thereof as fixed; validating and ratifying the creation and consolidation proceedings creating Oak Dale Consolidated Common School District No. 60, North Bosque Common School District No. 57, and Falls Common School District No. 112, all of Erath County, Texas."

The committee report was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Hardin the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 309 was put on its third reading and final passage, by the following vote:

Yeas—29.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Poage.
DeBerry.	Pollard.
Gainer.	Purl.
Greer.	Rawlings.
Hardin.	Russek.
Hopkins.	Small.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodul.
Neal.	Woodward.
Oneal.	

Absent-Excused.

Holbrook. Stevenson.

Read third time and finally passed by the following vote:

Yeas—29.

Beck.	Cunningham.
Berkeley.	Deberry.
Cousins.	Gainer.

Greer.	Poage.
Hardin.	Pollard.
Hopkins.	Purl.
Hornsby.	Rawlings.
Loy.	Russek.
Martin.	Small.
Moore.	Thomason.
Neal.	Williamson.
Oneal.	Woodruff.
Parr.	Woodul.
Parrish.	Woodward.
Patton.	

Absent-Excused.

Holbrook. Stevenson.

Senate Bill No. 98.

The Chair laid before the Senate on its second reading the following bill:

By Senator Williamson:

S. B. No. 98, A bill to be entitled "An Act exempting from taxation property owned by a church or strictly religious society for the exclusive use as a dwelling place for the ministry of such church or religious society, which yields no revenue whatever to such church or society, and declaring an emergency."

Read second time.

Senator Moore sent up the following amendment:

Amend S. B. No. 98, Page 327 of the Senate Journal, by inserting between the words "owned" and "by" in line 3 of Section 1 the following: "exclusively and in fee."

MOORE.

Read and adopted.

Senator Martin sent up the following amendments:

Amend S. B. No. 98 Section one by striking out of lines 3 and 4 the following words: "or strictly religious society."

Read and adopted.

Amend S. B. No. 98 Section one line 8 and 9 by striking out the following words: "or Society."

MARTIN.

Read and adopted.

Amend S. B. No. 98, Section one, line 6 by striking out the following words: "or Religious Society."

MARTIN.

Read and adopted.

Amend S. B. No. 98 by striking out of the Caption the following words:

"or strictly religious society" and
"or society" wherever they occur.
MARTIN.

Read and adopted.

The bill was passed to engrossment.

On motion of Senator Williamson the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 98 was put on its third reading and final passage, by the following vote:

Yeas—29.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Poage.
Deberry.	Pollard.
Gainer.	Purl.
Greer.	Rawlings.
Hardin.	Russek.
Hopkins.	Small.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodul.
Neal.	Woodward.
Oneal.	

Absent-Excused.

Holbrook. Stevenson.

Read third time and finally passed by the following vote:

Yeas—26.

Beck.	Oneal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Greer.	Purl.
Hardin.	Rawlings.
Hopkins.	Russek.
Hornsby.	Small.
Loy.	Thomason.
Martin.	Williamson.
Moore.	Woodruff.
Neal.	Woodul.

Nays—3.

Gainer. Woodward.
Poage.

Absent-Excused.

Holbrook. Stevenson.

Senate Bill No. 222.

Senator Woodul called up from the table the following bill:

By Senator Woodul and Williamson:

S. B. No. 222, A bill to be entitled "An Act fixing the number and term of office of school trustees of independent districts having a population of more than 200,000 by the Federal census of 1930; adjusting the terms of trustees to conform to the provisions of this Act; providing for filling of all vacancies in office; repealing all laws in conflict herewith; and declaring an emergency."

The committee report was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Woodul the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 222 was put on its third reading and final passage, by the following vote:

Yeas—29.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Poage.
DeBerry.	Pollard.
Gainer.	Purl.
Greer.	Rawlings.
Hardin.	Russek.
Hopkins.	Small.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodul.
Neal.	Woodward.
Oneal.	

Absent-Excused.

Holbrook. Stevenson.

Read third time and finally passed by the following vote:

Yeas—29.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Poage.
DeBerry.	Pollard.
Gainer.	Purl.
Greer.	Rawlings.
Hardin.	Russek.
Hopkins.	Small.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodul.
Neal.	Woodward.
Oneal.	

Absent-Excused.

Holbrook.

Stevenson.

Committee Hearings Report.

Senator Woodward called up from the table the report on Committee hearings.

Senator Rawlings sent up the following amendment:

Austin, Texas, March 17, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: The Sub-committee on Highways and Motor Traffic recommend that the report of the Committee on committee assignments, dated March 17, 1931 be amended by adding thereto the following schedule hearings for said Sub-committee, to-wit:

Monday night eight P. M.

Wednesday afternoon immediately after adjournment of the Senate.

Thursday night eight P. M.

And at such other times as may be available, subject to the call of the Chairman.

Respectfully submitted,

RAWLINGS, Chairman Sub-committee.

Read and adopted.

The report as amended was adopted.

Senate Bill No. 261.

The Chair laid before the Senate on its second reading the following bill:

By Senator Rawlings:

S. B. No. 261, A bill to be entitled "An Act to amend Article 768 of the Code of Criminal Procedure of the State of Texas of 1925, vesting in Trial Judges discretionary authority to credit defendants in criminal cases with time spent in jails awaiting trial; and declaring an emergency."

Read second time.

Senator Martin sent up the following amendment:

Amend S. B. No. 261, Sec. 1 line 19 and 20 by striking out the following words "Judge of the Court" and substituting therefor the following: "the jury trying the cause may."

MARTIN.

The amendment was read.

Senator Rawlings moved to table the amendment. The motion prevailed by the following vote:

Yeas—15.

Berkeley.

Cunningham.

Greer.

Hardin.

Hornsby.

Neal.

Oneal.

Parr.

Parrish.

Patton.

Poage.

Pollard.

Rawlings.

Woodruff.

Woodward.

Nays—10.

Cousins.

DeBerry.

Gainer.

Hopkins.

Loy.

Martin.

Moore.

Russek.

Thomason.

Woodul.

Absent.

Beck.

Purl.

Small.

Williamson.

Absent-Excused.

Holbrook.

Stevenson.

Senator Woodward sent up the following amendment:

Amend S. B. No. 26, by striking out the words "until his final sentence," in lines 23 and 24 of the printed bill and insert therein the following: "until the rendition of the verdict" and by adding the further language after the word verdict the following:

WOODWARD.

Read and lost by the following vote:

Yeas—13.

Beck.

Berkeley.

Cousins.

DeBerry.

Greer.

Hardin.

Moore.

Neal.

Oneal.

Purl.

Woodruff.

Woodul.

Woodward.

Nays—13.

Cunningham.

Gainer.

Hopkins.

Hornsby.

Loy.

Martin.

Parr.

Parrish.

Patton.

Poage.

Rawlings.

Russek.

Thomason.

Absent.

Holbrook.

Small.

Williamson.

Absent-Excused.

Pollard.

Stevenson.

The Chair voted "No."

Senator Parrish sent up the following amendment:

Amend S. B. No. 261, line 20, by striking out the words "may in his discretion" in line 20 and inserting in lieu thereof the word "shall."

Read and, on motion of Senator Rawlings, tabled.

PARRISH.

Senator Woodward sent up the following amendment to the motion.

Amend the bill by striking out the word "final" in line 23 and add after the word "Sentence" in line 24 the words "by the trial court."

WOODWARD.

Read and adopted.

The bill was passed to engrossment.

On motion of Senator Rawlings, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 261 was put on its third reading and final passage, by the following vote:

Yeas—29.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Poage.
DeBerry.	Pollard.
Gainer.	Purl.
Greer.	Rawlings.
Hardin.	Russek.
Hopkins.	Small.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodul.
Neal.	Woodward.
Oneal.	

Absent-Excused.

Holbrook.	Stevenson.
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Read third time and finally passed by the following vote:

Yeas—26.

Beck.	Neal.
Berkeley.	Oneal.
Cousins.	Parr.
Cunningham.	Parrish.
Gainer.	Patton.
Greer.	Poage.
Hardin.	Pollard.
Hornsby.	Purl.
Loy.	Rawlings.
Moore.	Russek.

Small.
Thomason.
Williamson.

Woodruff.
Woodul.
Woodward.

Nays—2.

DeBerry.	Martin.
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Absent.

Hopkins.

Absent-Excused.

Holbrook.	Stevenson.
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Senate Bill No. 391.

The Chair laid before the Senate on its second reading the following bill:

By Senator Thomason:

S. B. No. 391, A bill to be entitled "An Act to provide for the prompt payment of the salary and expenses of official shorthand reporters; providing that when the general fund of the county is on deficiency, such salary and expenses may be paid from any other available fund; and declaring an emergency."

Read second time.

Senator Purl sent up the following amendment:

Amend S. B. No. 391 by adding a new section to read as follows: "The provisions of this Act shall not apply to Dallas, McLennan, Falls, Milam, Trinity, Denton, Wise, Jack, Parker, Palo Pinto, Montague Counties."

PURL.

Read and lost by the following vote:

Yeas—11.

Berkeley.	Oneal.
Cunningham.	Poage.
DeBerry.	Purl.
Hopkins.	Williamson.
Hornsby.	Woodruff.
Loy.	

Nays—14.

Gainer.	Patton.
Greer.	Pollard.
Martin.	Rawlings.
Moore.	Russek.
Neal.	Small.
Parr.	Thomason.
Parrish.	Woodward.

Absent.

Beck.	Hardin.
Cousins.	Woodul.

Absent-Excused.

Holbrook. Stevenson.

Senator Purl sent up the following amendment:

Amend S. B. No. 391 by inserting immediately following the words "Court Reporters" the words "and all county employees whose salaries are now paid out of general funds."

PURL.

Read and lost by the following vote:

Yeas—6.

DeBerry. Purl.
Oneal. Woodruff.
Poage. Woodward.

Nays—18.

Berkeley. Parr.
Cousins. Parrish.
Cunningham. Patton.
Gainer. Pollard.
Greer. Rawlings.
Hopkins. Russek.
Hornsby. Small.
Martin. Thomason.
Moore. Williamson.

Absent.

Beck. Neal.
Hardin. Woodul.
Loy.

Absent-Excused.

Holbrook. Stevenson.

Senator Parrish sent up the following amendment:

Amend S. B. No. 391, line 14, by inserting between the words "State" and "shall" on line 14 the following words: "and the holder of any legal claim against the county."

PARRISH.

The amendment was read.

Recess.

On motion of Senator Russek, the Senate, at 12:12 o'clock p. m., recessed until 3 o'clock p. m.

After Recess.

The Senate met at 3 o'clock p. m., pursuant to recess, and was called to order by Lieutenant Governor Edgar E. Witt.

Senate Bill No. 391.

The question recurred upon the pending amendment to S. B. No. 391.

The amendment was adopted.

Senator Parrish sent up the following amendment:

Amend S. B. No. 391, by Thomason, by adding at the end of line 18, Section 1, of the printed bill, the following: "Provided, that no commissioners' court of any county of this State shall be authorized to transfer any money in violation of the Constitution of the State of Texas."

PARRISH.

Read and adopted.

Senator Purl sent up the following amendment:

Amend S. B. No. 391 by adding a new section to be known as Section 1a to read as follows: "Provided however no funds for such purpose shall be paid out of the road and bridge fund of any county."

PURL.

Read and adopted by the following vote:

Yeas—13.

Berkeley. Oneal.
Cunningham. Parrish.
DeBerry. Poage.
Gainer. Purl.
Hornsby. Rawlings.
Loy. Woodruff.
Neal.

Nays—11.

Beck. Patton.
Cousins. Small.
Greer. Thomason.
Martin. Woodul.
Moore. Woodward.
Parr.

Absent.

Hardin. Russek.
Hopkins. Williamson.
Pollard.

Absent-Excused.

Holbrook. Stevenson.

The bill failed to pass to engrossment by the following vote:

Yeas—13.

Beck. Moore.
Cousins. Parr.
Greer. Patton.
Hardin. Pollard.
Martin. Small.

Thomason.
Woodul.

Woodward.

Nays—14.

Berkeley.	Oneal.
Cunningham.	Parrish.
DeBerry.	Poage.
Gainer.	Purl.
Hornsby.	Rawlings.
Loy.	Williamson.
Neal.	Woodruff.

Absent.

Holbrook. Russek.

Absent-Excused.

Hopkins. Stevenson.

Senate Bill No. 278.

The Chair laid before the Senate on its second reading the following bill:

By Senator Greer:

S. B. No. 278, A bill to be entitled "An Act directing the State Superintendent of Public Instruction to pay out of rural aid funds heretofore appropriated by the Forty-first Legislature or out of funds to be appropriated by the Forty-second Legislature, certain sums of money as a reward for consolidation to the Poyner School District and the Frankston Independent School District, by adding to Chapter 14, Section 8-E, carrying out the hereinbefore mentioned purpose and declaring an emergency."

Read second time.

Senator Woodruff sent up the following amendment:

Amend S. B. No. 278 by adding after the word "dollars" in line 28, page 1, the following: "and the Jacksboro Independent School District the sum of \$2,000.00, and to the Millsap, Parker County Independent School District the sum of \$750.00."

WOODRUFF.

The amendment was read.

On motion of Senator DeBerry, the bill and the amendment were laid on the table subject to call.

Free Conference Report.

Senator Beck called up the Free Conference report on H. B. No. 398.

Senator Moore sent up the following motion:

Mr. President: I move that the Conference Report on H. B. No. 398 be rejected, the bill returned to the committee and said committee be instructed to reduce the items as follows: "Page 586 of the Senate Journal, item No. 3 from \$31,700.00 to \$15,850.00. Page 586 of the Senate Journal, item No. 4, from \$60,000.00 to \$30,000.00; and change sub-total \$91,700.00 to conform thereto."

MOORE.

The motion was read.

Senator Poage sent up the following amendment to the motion:

Amend amendment to Free Conference Report on H. B. No. 398 by adding the following after the words "and change sub-total \$91,700.00 to conform thereto," the following: "and by striking out on page 585 the words 'for three extra clerks, \$3,437.00' and adjust all totals accordingly and that the committee be further instructed to make any other reductions they may see fit."

POAGE.

The amendment was read.

On motion of Senator Beck, the report, the motion, and the amendment to the motion were laid on the table subject to call.

Free Conference Report.

Senator Neal called up the Free Conference report on H. B. No. 703. The report was read and adopted by the following vote:

Yeas—29.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Poage.
DeBerry.	Pollard.
Gainer.	Purl.
Greer.	Rawlings.
Hardin.	Russek.
Hopkins.	Small.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodul.
Neal.	Woodward.
Oneal.	

Absent-Excused.

Holbrook. Stevenson.

Senate Joint Resolution No. 18.

Senator Neal called up from the table:

By Senator Neal:

S. J. R. No. 18, Proposing an amendment to Section 9 of Article 8 of the Constitution, authorizing an additional levy to taxes by political subdivisions of the State not to exceed two mills on the One (\$1.00) Dollar valuation; calling and providing for an election for the purpose of submitting said amendment to the people; providing means and manner thereof, and making an appropriation therefor.

The committee report was adopted. The resolution was read second time and passed to engrossment.

Senate Bill No. 185.

The Chair laid before the Senate on its second reading the following bill:

By Senator Gainer:

S. B. No. 185, A bill to be entitled "An Act to amend Article 2592 of the Revised Civil Statutes of Texas of 1925."

Read second time and, on motion of Senator Gainer, laid on the table subject to call.

Senate Bill No. 248.

On motion of Senator Greer, S. B. No. 248 was laid on the table subject to call.

Adjournment.

On motion of Senator Small, the Senate, at 4:48 o'clock p. m., adjourned until 10 o'clock tomorrow morning.

APPENDIX.**Committee on Enrolled Bills.**

Committee Room,
Austin, Texas, March 16, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 70 carefully examined and compared and find same correctly enrolled.

GREER, Chairman.

Committee Room,
Austin, Texas, March 16, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. C. R. No. 21 carefully examined and compared and find same correctly enrolled.

GREER, Chairman.

Committee Room,
Austin, Texas, March 16, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. C. R. No. 22 carefully examined and compared and find same correctly enrolled.

GREER, Chairman.

Committee Room,
Austin, Texas, March 16, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. C. R. No. 85 carefully examined and compared and find same correctly engrossed.

GREER, Chairman.

Committee on Engrossed Bills.

Committee Room,
Austin, Texas, March 17, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed bills, have had S. J. R. No. 6 carefully examined and compared and find correctly engrossed.

HARDIN, Chairman.

Committee Room,
Austin, Texas, March 17, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed bills, have had S. J. R. No. 22 carefully examined and compared and find same correctly engrossed.

HARDIN, Chairman.

Committee Reports.

Committee Room,
Austin, Texas, March 13, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred

S. B. No. 268, A bill to be entitled "An Act defining certain offenses; providing for penalties; defining terms used in this Act; providing for

the repeal of conflicting statutes; providing for the separability of the provisions of this Act; enacting all necessary provisions incidental to the general prpose of the Act; and declaring an emergency."

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do not pass, but in lieu thereof the following committee substitute do pass, to-wit:

"An Act defining "airport" and "beacon;" making it unlwaful for any person to throw any stone or missile, or fire any gun or pistol into or against any aircraft, parachute or contrivance for navigating the air; making it unlawful to use, operate or molest any such aircraft, parachute or contrivance, and to remove any device or appliance therefrom without the consent of the owner; making it unlawful to remove, destroy or tamper with any beacon, light or signal designating any airport, airline or aeroplane runway without the consent of the owner; making it unlawful for any person to place any obstruction or impediment on any airport, or aeroplane runway, or to erect any false beacon, light or signal for the purpose of deceiving any operator of any aircraft as to true location of any airport, aeroplane runway, airline or airway; providing a penalty therefor; and declaring an emergency."

SMALL, Chairman.

Committee Room,

Austin, Texas, March 17, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Town and City Corporations, to whom was referred

H. B. No. 725, A bill to be entitled "An Act authorizing any navigation district organized or hereafter to be organized under any of the provisions of the Constitution or laws of this State, created for the development of deep water navigation, having within its limits a city now operating under special charter originally granted by the Legislature and having between 27,000 and 28,000 inhabitants as shown by the last Federal census, to borrow money and to mortgage and encumber any part or all of its properties and facilities

and the franchise and revenues and income from the operation thereof and everything pertaining thereto to secure the payment of funds to purchase, build, improve, enlarge, extend or repair any of its wharves, docks, warehouses, levees, bulkheads, canals, waterways and other aids to navigation, etc, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

ONEAL, Chairman.

Committee Room,

Austin, Texas, March 17, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Public Printing, to whom was referred H. C. R. No. 29,

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed in the Journal.

WOODRUFF, Chairman.

By Groves, Burns H. C. R. No. 29.
of Walker.

Whereas, the State Prison has recently been equipped with new and up to date printing machinery and there has been a competent master printer employed for the purpose of supervising, managing and controlling the printing department of such State prison; and

Whereas, it has been recently demonstrated that this department is well enough equipped, and able, to do a large part of the State's printing, and that such can be done at a much less cost than the State is now paying for its printing which is now being done by contract;

Therefore, Be It Resolved by the House and the Senate of Texas concurring, that the Board of Control of the State of Texas is authorized and directed to investigate the feasibility of making a contract with the State Prison Board relative to such Board doing a portion or all of the State's printing in the State Prison, and if such Board of Control deems it to be to the best interest of the State of Texas, they are requested to enter into a contract with the State Prison Board to do so much or

all of the State's printing at the State Prison as they may deem advisable to have done there, and at a legal contract price therefor.

Committee Room,
Austin, Texas, March 17, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred House Concurrent Resolution No. 26, relative to an investigation and survey as to the re-location of the Austin State Hospital,

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass with committee amendments, and that it be printed in the Journal.

BECK, Chairman.

Senate Committee Amendment

Amend House Concurrent Resolution No. 26 by adding after the words, "Lieutenant Governor," the words, "Two members of the Senate and three members of the House of Representatives."

By Mrs. Moore, et al. H. C. R. No. 26.

Whereas, the Austin State Hospital was built in 1857 and most of the buildings are old and antiquated and some of them are in bad repair and are a serious fire hazard; and

Whereas it has been estimated by an architect that it would cost Eight Hundred Thousand (\$800,000.00) Dollars or more to remodel, repair and semi-fireproof these old buildings and make them safe, and it would then not be a modern hospital in plan and design; and

Whereas, the property on which the hospital is located is well within the city limits of the City of Austin and has grown very valuable due to the growth and development of the City of Austin; and

Whereas, it has been the opinion of many that it would be an economical policy for the State to sell the valuable land now comprising the Austin Hospital site and purchase land more suitable for the purpose, further removed from the City and where sufficient land can be secured for the farming, gardening, and

dairying carried on by such institutions, and that the Austin Hospital be gradually removed to the new location; therefore,

Be It Resolved by the House of Representatives, the Senate concurring, that the Governor, Lieutenant Governor, Speaker of the House and Members of the Board of Control be authorized to take this matter under advisement and make recommendation to the next Legislature, and that said report shall include items of expense of remodeling and modernizing old asylum and complete cost of new asylum grounds and buildings with suggestion of possible sale price of old asylum and grounds, but said Committee shall have no authority to make a contract for the State of Texas; nor shall said report in any manner bind the Legislature of the State of Texas to comply therewith.

Committee Room,
Austin, Texas, March 17, 1931.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred House Concurrent Resolution No. 36, a resolution relating to the exchange of mutilated and foreign monies for legal tender money which is now in the vaults of the Treasury of the State of Texas,

Have had same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed in the Journal.

BECK, Chairman.

By Donnell. H. C. R. No. 36.

Whereas, the State Treasurer has in the vaults of the Treasury mutilated and foreign monies, carried on the Daily Balance Sheet of the State Treasurer as Vault Cash, the face value of which totals \$841.06; and,

Whereas, these monies cannot be used in payment for current bills or vouchers.

Therefore be it resolved by the House of Representatives, the Senate concurring, that the State Treasurer be and it hereby authorized to exchange the mutilated and foreign monies herein mentioned for legal tender money on the best terms possible.

Schedule of Committee Hearings (March 25, 1931.)

Time.	Monday.	Tuesday.	Wednesday.	Thursday.	
Immediately after adjournment.	Education.	1. Civil Jurisprudence. 2. Criminal Jurisprudence.	1. Finance. 2. Highways and Motor Traffic. (Subcommittee)	1. Civil Jurisprudence. 2. Criminal Jurisprudence.	
8 p. m.	1. Finance. 2. Highways and Motor Traffic. (Subcommittee)	Highways and Motor Traffic	State Affairs	Highways and Motor Traffic (Subcommittee)	